

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 2135 OF 2007
IN
APPEAL (L.) NO. 472 OF 2007
IN
SUMMONS FOR JUDGMENT NO.410 OF 2006
IN
SUMMARY SUIT NO. 2212 OF 2006

Megi Control Systems Pvt. Ltd., .. Appellant.
(Org.Defendant)

V/s.
Endress + Hauser (India) Pvt. Ltd., .. Respondent.
(Org.Plaintiff)

Mr. H.G. Misar for the Appellant.

Mr. V. Chandrashekar for the Respondent.

**CORAM : DR. S. RADHAKRISHNAN &
SRI ANOOP V. MOHTA, JJ.**

DATED : 14TH DECEMBER, 2007

P.C. :-

. Heard learned counsel for the Appellant and learned counsel for the Respondent. The parties have already mutually settled the matter. In view thereof and for the reasons stated in the affidavit in support of the Notice of Motion, sufficient cause is made out for condoning 106 days delay in filing the appeal. There is no case of inaction, negligence or want of bonafide on the part of the Appellant. Hence, the Notice of Motion is made absolute in terms of prayer clause (a).

(ANOOP V. MOHTA, J)

(DR.S.RADHAKRISHNAN, J.)